

REMARKS

Claims 10-15 are pending in the application. Claims 10, 13, 14, and 15 have been amended to better clarify what Applicants regard as the invention. No new matter has been added by way of this amendment. Thus, as a result of the foregoing amendment, claims 10 through 15 remain under consideration. Reconsideration of this application is respectfully requested.

Claims 10-15 have been rejected under 35 U.S.C. §112, first paragraph for not fulfilling the written description requirement and also under 35 U.S.C. §112 second paragraph for being indefinite. Applicants respectfully traverse the Examiner's rejection, and have also amended the claims to better clarify what Applicants regard as the invention. Support for the amendments can be found on page 8, lines 27-34; page 9, lines 26-31; page 10, lines 3-6 and 15-23; page 15, lines 17-18; page 16, lines 18-19; page 18, lines 15-17 and page 20, lines 7-14. Thus, withdrawal of the rejections under 35 U.S.C. §112, first paragraph, and under 35 U.S.C. §112, second paragraph, is respectfully requested.

***Claim Rejections under 35 U.S.C. §112***

The Examiner has rejected claims 10-15 under 35 U.S.C. 112, second paragraph for being vague and indefinite. Applicants respectfully traverse Examiner's rejection and have amended the claims to better clarify what Applicants regard as the invention. Furthermore, Applicants refer the Examiner to the specification on page 18, lines 15-17, whereby the "standard hybridization conditions" are defined as being equivalent to 5x SSC and 65°C for both hybridization and wash. Accordingly, Applicants have amended the claims to include these standard hybridization conditions as recommended by the Examiner and withdrawal of the rejection is respectfully requested.

The Examiner has further rejected claims 10-15 under 35 U.S.C. §112, first paragraph for not complying with the written description requirement. Applicants respectfully traverse the rejection, and have amended the claims to read on the human and mouse sequences identified as SEQ ID NOs: 7 and 8, respectively, nucleic acid sequences that hybridize to the human or mouse TRIP sequences under explicit hybridization conditions and nucleic acid sequences that encode the human and mouse TRIP amino acid sequences set forth in SEQ ID NOs: 1 and 2, all of which encode for TRIP and have specific functionality associated with them *eg.* regulation of TRAF-2 mediated NF-κB activation.

The Examiner further asserts that the claims encompass variants without structural limitation. Furthermore, the Examiner asserts that the disclosure does not have written description for the genus of variants of TRIP. Applicants respectfully traverse Examiner's rejections for the reasons noted in response to the previous office action. To summarize, Applicants have identified the specific regions of the human and mouse nucleic acid encoding the amino acid sequences responsible for specific biological function ie. regulation of TRAF-2 mediated NF- $\kappa$ B activation. As noted previously, in the present application on page 40, lines 16 through 23, and on page 44, lines 1-3 and lines 18-26, Applicants have determined the structural requirements for the interaction of TRIP with TRAF1 or TRAF2 using a yeast two-hybrid assay. Furthermore, Applicants have also determined that the inhibition of NF- $\kappa$ B activation by TRIP requires the same domains of TRIP which mediates this interaction.

Applicants respectfully point out that the structural requirements for functional activity of the human and mouse TRIP, ie. the sequences encoding the functional protein domains as demonstrated in the specification as shown above, are encompassed in the total nucleic acid sequences provided in SEQ ID NOs: 7 and 8, as claimed. Thus, the regions which are critical to the structure and function of the sequences claimed have been outlined as described above. Applicants assert that given this information, one of skill in the art could assess whether a given nucleic acid sequence, using the hybridization conditions now claimed, would fall within the genus of variants of TRIP. However, in order to place the present application in condition for allowance, Applicants have amended the claims to delete the term "degenerate variants".

In light of the foregoing arguments and in light of the claim amendments, withdrawal of the rejection is respectfully requested.

#### *Fees*

No fees are believed to be necessitated by the instant response. However, should this be in error, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or to credit any overpayments.

***Conclusion***

Applicants believe that the foregoing amendments to the claims place the application in condition for allowance. Withdrawal of the rejections is respectfully requested. If a discussion with the undersigned will be of assistance in resolving any remaining issues, the Examiner is invited to telephone the undersigned at (201) 487-5800, ext. 118, to effect a resolution.

Respectfully submitted,



Veronica Mallon, Ph.D.

Agent for Applicants

Registration No. 52,491

KLAUBER & JACKSON  
411 Hackensack Avenue  
Hackensack, NJ 07601  
(201) 487-5800